



INTERAGENCY AGREEMENT

BETWEEN

Department of Economic Security,
REHABILITATION SERVICES ADMINISTRATION,
DIVISION OF DEVELOPMENTAL DISABILITIES

AND

Arizona Department of Education,
EXCEPTIONAL STUDENT SERVICES



INTERAGENCY AGREEMENT

This Interagency Agreement is between the Department of Economic Security (DES), Rehabilitation Services Administration (RSA), **Vocational Rehabilitation (VR)**, and the Division of Developmental Disabilities, and the Arizona Department of Education (ADE), **Exceptional Student Services (ESS)**.

The DES/RSA/Division of Developmental Disabilities is authorized to enter into this agreement per A.R.S. §41-1954.

The DES/RSA/VR and Department of Economic Security/Division of Developmental Disabilities agree to abide by all of the terms and conditions set forth in this agreement.

This agreement shall constitute the entire agreement between the parties and supersede all other understandings, oral or written.

**FOR AND ON BEHALF OF THE ARIZONA
DEPARTMENT OF ECONOMIC SECURITY**

REHABILITATION SERVICES ADMINISTRATION

Authorized Signature

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Asst. Dir., Dvsn of Employment & Rehab Svcs

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7-1-2004

Date

**FOR AND ON BEHALF OF THE ARIZONA
DEPARTMENT OF EDUCATION,**

EXCEPTIONAL STUDENT SERVICES

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I. AUTHORITY

The requirement for the Arizona Department of Economic Security/Rehabilitation Services Administration (ADES/RSA) to enter into an interagency agreement relating to **Vocational Rehabilitation (VR) program transition services** is contained in Section 101, (a)(11)(D) of the Rehabilitation Act of 1973 and 34 CFR 361.22(a)(2). The **Division of Developmental Disabilities** supports adults eligible for the Division with extended employment supports and other services under the authority of State law and AHCCCS waiver from HCFA. Section §300.142(a)(b) of the IDEA requires the Arizona Department of Education/**Exceptional Students Services** (ADE/ESS) to have interagency agreements in place, as necessary, to ensure that appropriate transition services are available for students.

II. MISSION/VISION STATEMENTS

A. VISION FOR THE VR PROGRAM

The vision of the Rehabilitation Services Administration is: (1) that all persons with disabilities have opportunities for employment; (2) that there are no artificial barriers for persons with disabilities to pursue the full range of types and variety of employment options, (3) that salaries, work conditions and benefits for persons with disabilities are equal to those received by all other people doing the same work, and; (4) that the RSA is a leader in assisting Arizonans in achieving this vision through advocacy, public education, collaborative programming, and direct services.

The VR program helps individuals with disabilities to achieve this vision through a process which engages them fully and actively in exploring their vocational interests, abilities, and capabilities; in providing service, program, and process options; and in making choices.

The mission of the VR program is to assist eligible VR individuals to become as economically independent as possible, and to lessen or eliminate their need for government support programs and services, through meaningful and sustained work.

B. VISION FOR THE DIVISION OF DEVELOPMENTAL DISABILITIES

The vision of the Department of Economic Security/Division of Developmental Disabilities is that individuals with developmental disabilities are valued members of their communities and are involved and participating based on their own choices. The Division's Extended Supported Employment Program accomplishes this vision by supporting the individual's plans for employment after they have exited the Department's Vocational Rehabilitation program.

C. VISION FOR EDUCATION OF YOUTH WITH DISABILITIES

The vision of Arizona's Department of Education is to ensure academic excellence for all students. The mission of Exceptional Student Services (ADE/ESS) is to promote the development and implementation of quality education for students with disabilities.

ADE/ESS assists local education agencies in ensuring that all youth with disabilities eligible for and receiving special education services under the Individuals with Disabilities Education Act receive a continuum of coordinated services that assist youth with disabilities in career opportunities and their roles as adults in the community.

D. *JOINT VISION*

The Vision for this Interagency Agreement is a system of coordinated planning and collaboration by local education agencies (LEA), local Vocational Rehabilitation (VR), Division of Developmental Disabilities offices leading to a smooth and successful transition of students with disabilities to meaningful, gainful, and sustained employment. This Vision is achieved through mutual cooperation and an understanding by all parties of each party's role in achieving this vision.

III. TERM

This agreement shall be effective as of April 1, 2004, reviewed annually, and revised as needed.

III. PURPOSE OF THIS INTERAGENCY AGREEMENT

A. *GENERAL PURPOSE*

The general purpose of this Interagency Agreement is to encourage and facilitate cooperation and collaboration between the Vocational Rehabilitation program (VR), Division of Developmental Disabilities' Extended Supported Employment program and local educational agencies (LEAs) throughout Arizona within the context of their mandates, namely:

1. The mandate from the state education agency (SEA) to local educational agencies to prepare students for transition from school to work or other post-school activities; and
2. The mandates by the SEA of the LEAs, by RSA of VR program staff, and by staff of the Division of Developmental Disabilities to collaborate and coordinate during the transition planning process; and
3. The VR program's mandate to complete students' transition to work through postsecondary educational supports, employment supports, and follow-along to help facilitate students' successful and sustained employment.

4. The Division of Developmental Disabilities program mandate to provide extended employment supports for individuals who are Arizona Long Term Care eligible and, dependent on available funding, for individual's who are eligible for supports with state dollars.

B. SPECIFIC PURPOSE

Specifically, it is intended that this Interagency Agreement:

1. Provides guidance to VR and Division of Developmental Disabilities line staff, and school personnel when serving students transitioning from school to work or other post-school activities;
2. Provides information to parents/students so that they know what they can and should expect from the LEA, from VR and from the Division of Developmental Disabilities during the transition process;
3. Provides parameters to school, RSA and Division of Developmental Disabilities administrators/managers when developing, negotiating, and implementing cooperative agreements.

IV. SCOPE OF THIS INTERAGENCY AGREEMENT

This agreement deals with the transition of all students with a disability who are enrolled in school.

For the purpose of this Agreement a "student with a disability" is one who is eligible for and receiving special education services under the IDEA, requires accommodations under Section 504 of the Rehabilitation Act,ⁱ and/or meets the VRⁱⁱ definition of a person with a disability.

For the purposes of the Division of Developmental Disabilities a "student with a disability" is one who is eligible for the Division of Developmental Disabilities.

V. TRANSITION PROGRAMMING

This section represents the minimal programming response when it comes to responding to the needs of students with disabilities while they are still in school. (NOTE: Section VI, *School Agreements Between Schools And RSA (VR)*, expands VR's role in providing programs and services to students while they are still in school).

This section describes how RSA/VR, Division of Developmental Disabilities and ADE/ESS coordinate and collaborate in providing transition services to students with disabilities.

A. TECHNICAL ASSISTANCE AND CONSULTATION

LEAs and local RSA and Division of Developmental Disabilities staff shall agree on how they will consult and provide technical assistance to each other and the student and their family/guardian/surrogate in planning for the transition of students with disabilities from school to post-school activities.

They should also discuss and agree under what circumstances and to what extent the VR counselor will be available to provide consultation for a student(s) when a formal referral to the VR program is not involved.

B. PRE-REFERRAL

LEAs are expected to prepare students with disabilities for their role in society, including work. Specifically for students under the IDEA, it is the responsibility of LEAs to provide a free and appropriate public education and to develop an IEP for each student.

The IEP must include:

1. Beginning at age 14 (or younger, if determined appropriate by the IEP team), a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study; and
2. Beginning at age 16 (or younger, if determined appropriate by the IEP team), a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any needed linkages.

C. OUTREACH AND IDENTIFICATION OF STUDENTS

Local RSA staff and staff of the local educational agency together shall agree on the methods for reaching out to students with disabilities who may need and could benefit from VR services.

Brochures, flyers, or informational letters (see Appendix B for an example) shall be made available to students and their parents to explain: the Vocational Rehabilitation program's mission; the role the VR program plays in the transition process and IEP development; the VR referral policies and procedures; and information about the existence of any special joint programs available through the school as part of the IEP process.

D. REFERRALS TO VR AND/OR DDD

It is anticipated that the involvement of both VR or DDD would be normally requested for students who are eligible for services from the Division of Developmental Disabilities (DDD) and who are planning to participate in work upon school exit.

Students with physical or mental impairments that result in substantial impediments to employment and who require VR services to prepare for or enter employment which is integrated and competitive should be referred to the VR program.

Students who want or need to engage in work activities but are not able or willing to prepare for integrated work which is, or leads to, competitive employment (even with the availability of extended supported employment services) should be referred directly to the DDD program.

1. Timing of referrals

Students will be given an opportunity for referral to a VR counselor or DDD Support Coordinator early enough to allow for the development of an IPE and a seamless transition to work or to post school activities (or in enough time to allow students timely access to VR sponsored programs or services under school agreements).ⁱⁱⁱ

In the absence of a school agreement, referrals are normally made some time within the last year of school unless the IEP team, including the VR counselor and/or DDD support coordinator, determines it appropriate to make a referral earlier.

The appropriate time to make a referral to the Vocational Rehabilitation program is when the IEP Team, including the VR counselor, and the Division of Developmental Disabilities support coordinator begins to identify transition services needed to identify a vocational goal and to achieve a vocational outcome. Students should not be referred or asked to apply for services before they are ready to begin this transition process.

2. Process for making referrals

It is preferred that referrals be made using the IEP process. However, the VR or DDD program must accept referrals initiated directly by school staff, student themselves, family members, or other agencies working with the students as well.

a. Referrals to the VR program

Pertinent school and Division of Developmental Disabilities information must accompany a referral to the Vocational Rehabilitation counselor. Schools and Division of Developmental Disabilities staff are also expected to provide information for students who are referred to VR by other means.

School staff shall provide the following educational records to the VR counselor;

- i. Records which document the basis for determining the individual a person with a disability;
- ii. The student's current IEP and any significant supplemental information;
- iii. School performance information that will have a direct bearing on the development of a VR Individualized Plan for Employment (IPE);

Division of Developmental Disabilities staff shall provide the following documentation to the VR counselor;

- i. The student's current Individual Support Plan and any significant supplemental information;
- ii. The Referral Form (DDD1328AFORNA)
- iii. Other available information that will have a direct bearing on the development of the VR Individualized Plan for Employment.

VR counselors must accept the school's and the Division of Developmental Disabilities documentation that a disability exists (the first element of VR eligibility). Additional assessments may be necessary, however, to determine an individual's need for VR services and to develop an IPE for the individual. Assessments will not be done by RSA to assist the LEA to determine an individual's needs/status within the school system in order to determine eligibility for IDEA.

b. Referrals to the DDD

Pertinent school information must accompany a referral to the DD support coordinator. Schools are also expected to provide information for students who are referred to DDD by other means.

School staff shall provide the following educational records to the DD support coordinator;

- i. Records which document the basis for determining the individual a person with a disability;
- ii. The student's current IEP and any significant supplemental information;
- iii. School performance information that will have a direct bearing on the development of an ISP;

VR staff shall provide the following documentation to the DD support coordinator;

- i. The student's current Individual Plan for Employment and any significant supplemental information;

- ii. Other available information that will have a direct bearing on the development of the VR Individualized Plan for Employment.

Additional trial work experiences or work activities may be necessary to determine an individual's appropriateness for DDD services and to develop an ISP for the individual.

- c. Referrals to, and involvement of, VR partner programs/agencies

Since the Rehabilitation Services Administration has negotiated many partnership agreements, a referral to the VR program may also require a referral to (and involve) another partner agency. These other agencies must become involved in IEP/IPE planning under the following two circumstances:

- A number of agencies help to fund VR services by matching the federal VR Grant. In order to use the resulting resources, students must be joint clients and eligible under the rules for both programs.
- For individuals with very severe disabilities, maintaining successful employment often depends on the availability of an ongoing support system. Agencies which provide such ongoing supports (i.e. *day treatment and training services, residential services, ongoing mental health and medication management services, probation or parole services) must be involved in planning VR services.

(Day Treatment and Training services shall not be used in place of educational programs or other related services as provided under Public Law 105-17)

The RSA has developed partnerships with: the Regional Behavioral Health Authority (RBHA), the Arizona Department of Juvenile Corrections (ADJC), and County juvenile probation programs. These agencies are important resources for a student's transition and must be included in transition planning and IEP/IPE development.

E. JOINT PLANNING

1. IPE/ISP/IEP process

For students eligible for special education under the IDEA, local educational agencies use the IEP planning process to prepare students for transition from school to work or post-school activities. The written Individualized Education Plan documents the results of such planning.

The VR program uses the IPE planning process to determine the student's employment goal, intermediate objectives for reaching that goal, and IPE services to be provided.

The Division of Developmental Disabilities (DDD) uses the Individual Support Plan (ISP) to document the needed services, identified by an interdisciplinary team, to be provided for a person. The Plan directs the provision of safe, secure and dependable active treatment areas that are necessary for individuals to achieve full social inclusion, independence, and personal and economic well-being. The Plan also documents the extended employment services and supports needed by the person upon exit from an Vocational Rehabilitation program.

The processes are separate and each process has its own rules. It is important that there is coordination and collaboration at the points the three processes intersect.

- a. Schools are not to presume VR or Division of Developmental Disabilities involvement in either planning IEPs or in providing services without the active involvement, knowledge, and consent of assigned VR and Division of Developmental Disabilities' staff.
- b. In order to plan and develop an IPE or ISP, VR counselors and DDD Support Coordinators need access to information available from the school such as: evaluations (psycho-educational, medical, vocational, mobility); Individualized Education Plan (IEP); Individualized Vocational Education Plan (IVEP), Multidisciplinary Evaluation Team (MET) reports; school transcripts; and other school records as appropriate.
- c. In addition, the VR counselor needs access to information available from the Division of Developmental Disabilities support coordinator such as: Individual Support Plan, accompanying evaluations and progress reports and other documents as appropriate and vice-versa.
- d. Copies of the IEP, IPE and Individual Support Plan shall be shared. To the extent possible, the plans should be consistent with each other. Staff should include appropriate elements from each other's plans in their own. This encourages coordination and collaboration. For the VR counselor, a copy of the IEP and Individual Support Plan is required for VR case record documentation.

2. Division of Developmental Disabilities and RSA/VR staff participation in IEP meetings

With timely notice from the LEA and with parental permission of the responsible party, it is expected that VR and the Division of Developmental Disabilities staff will participate in an IEP meeting if VR and Division of Developmental Disabilities' involvement has been determined to be necessary and appropriate. If a VR and/or Division of Developmental Disabilities staff person is not able to attend, VR and/or Division of Developmental Disabilities staff will make contact and provide appropriate input before the meeting if at all possible.

Local educational agency staff are responsible to develop alternative ways (including written correspondence and conference calls) to enable VR and Division of Developmental disabilities staff to participate in an IEP meeting when participation is necessary.

3. Timing for completion of an IPE or ISP

The IPE or ISP should be completed early enough to allow a seamless transition to work or to post school activities (or to allow the student timely access to VR sponsored programs or services under school agreements).

4. IEP/IPE/ISP problem resolution

Staff from the LEA, VR and the Division of Developmental Disabilities and other participating agencies shall attempt to resolve disputes among each other (e.g. about responsibilities, costs, goal/service selection, etc.) when planning programs and services. This Interagency Agreement should be used as a tool for resolving conflicts. It is not intended, however, that either LEA, RSA or Division of Developmental Disabilities staff use this Agreement to impose decisions or control the decision making process of the other.

If not resolved at the counselor, LEA or Division of Developmental Disabilities support coordinator level, issues can be elevated to the school principal, the VR office supervisor and/or the support coordinator supervisor. The Work group (described in Subsection VIII, A of this agreement) will be used to review issues having statewide impact.

F. VR and DDD SERVICES

VR/DDD services that will be generally available to eligible students during the transition process, as needed, are:

- Information and referral services,
- Assessments needed for IPE/ISP planning, and
- Vocational counseling and guidance.

All other VR services, including vocational counseling and guidance, are provided under an IPE (referred to as "IPE services" elsewhere in this Agreement).

IPE/ISP services will be available to students upon their exit from school unless there exists a cooperative agreement between the local educational agency and the Rehabilitation Services Administration to provide IPE services for students while enrolled in school (see Section VI).

Extended employment services through the Division of Developmental Disabilities are available upon exit from the Vocation Rehabilitation program or when a referral to the Vocational Rehabilitation program is not appropriate (Title XIX funds cannot fund employment services that are otherwise available to a person through the Vocational Rehabilitation Act). Employment service supports for non-Long Term Care eligible adults are dependent upon available state funding.

G. *RELATIONSHIP MANAGEMENT*

This Interagency Agreement is intended to guide the general parameters of the relationship between a local educational agency, the local RSA office and local Division of Developmental Disabilities support coordinator. Both school, RSA and Division staff are encouraged to discuss and develop their unique relationships within this overall context. Mutual cooperation and collaboration will enhance relationships, improve services to mutual students/clients, and expedite the transition of students with disabilities to meaningful and gainful employment.

Local school RSA and Division staff should discuss and agree on: who the VR Division and school contacts are for all students with disabilities (e.g. students with developmental disabilities, students who are blind or have hearing impairments, students with emotional disorders); the VR counselor's planned visitation schedule; how VR and Division contact(s) will be informed of planned IEP meetings; circumstances under which separate VR and Division input is sufficient or when actual attendance is expected; space to be made available to the VR counselor in the local school; planning for specific joint outreach activities within the school; etc. It is often useful to communicate such local arrangements in writing and to make this information widely available.

VI. AGREEMENTS BETWEEN SCHOOLS AND RSA (VR)

A. *PROVIDING IPE SERVICES WHILE A STUDENT IS STILL IN SCHOOL*

1. General criteria for what IPE services can be provided to students still in school and under what circumstances

The following criteria must be used to determine the kind of services the VR program can provide to VR eligible students who are still in school and under what circumstances.^{iv}

- a. There is a school agreement in place; and
- b. The services to be provided are vocational in nature; and

- c. The services are not otherwise available from the school (i.e. the services to be provided do not duplicate already available services); and
- d. The services are not provided primarily to support a student's educational goals; and
- e. The services to be provided are considered immediate (not remote) preparation for the individual's transition from school to work or post-school activities; and
- f. The services are allowed under general VR policies; and
- g. The services to be provided are needed to achieve the student's employment goal contained in the IPE; and
- h. The services are provided no earlier than two years prior to school exit.

The following are some specific examples of services the VR program cannot provide (even though they are important for the eventual vocational success of students):

- a. Related services (including interpreter services for individuals who are deaf and making educational materials available in alternative media) in support of school and education related activities;
- b. Specialized skills training for persons with disabilities (such as orientation and mobility services, communication skills training, or home management skills) which are part of, or in support of, education or education related programs/activities;
- c. Assistive technology goods or services used to access regular education programming, special education programming, vocational education programs, or any other programs or activities regularly offered by the school for its students;
- d. Regular career counseling available to all students;
- e. Assessments provided to comply with IDEA requirements.

2. Restrictions in providing IPE services to students still in school

RSA managers and local education officials may negotiate agreements to provide specialized IPE services to specific groups of students for specific purposes using the criteria listed above. These agreements are often "cooperative agreements" which generate third party funds (see Subsection VII, B).

Individual VR counselors do not have the authority to initiate IPE services for students while they are in school without a school agreement in place.

B. COOPERATIVE AGREEMENTS WHICH GENERATE THIRD PARTY FUNDING

The Rehabilitation Services Administration has negotiated agreements with school districts which generate additional VR resources. The availability of these additional resources enable the VR program to become involved in providing VR services to individuals while they are still students.

Cooperative agreements may be very specific (e.g. agreements to purchase Exemplary Youth Transition Programs or YTPs from participating schools) or very general as stated in Transfer Agreements with school districts).

Examples of other cooperative agreements include: summer residential programs for individuals who are blind to prepare them for leaving school and entering the world of work, college preparatory programs specifically geared to the specialized needs of individuals who are deaf or have visual impairments, and special work exploration programs for students with significant developmental disabilities.

1. Criteria for VR involvement in Cooperative Agreements

Federal law and regulations (Sec. 101(a)(1)(A) of the Act; 29 U.S.C. 721(a)(1)(A)) have set rules for the “designated State unit” (i.e. RSA) to enter into cooperative agreements.

The regulations read as follows: “If the designated State unit enters into a third-party cooperative arrangement for providing or administering vocational rehabilitation services with another State agency or a local public agency that is furnishing part or all of the non-Federal share, the State plan must assure that--

- (1) The services provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a vocational rehabilitation focus or existing services that have been modified, adapted, expanded, or reconfigured to have a vocational rehabilitation focus;
- (2) The services provided by the cooperating agency are only available to applicants for, or recipients of, services from the designated State unit;
- (3) Program expenditures and staff providing services under the cooperative arrangement are under the administrative supervision of the designated State unit; and
- (4) All State plan requirements, including a State's order of selection, will apply to all services provided under the cooperative program.”

2. How additional monies generated from cooperative agreements are used

The additional resources that are created through cooperative agreements allow RSA to provide allowable IPE services to students while they are still enrolled in school through:

- a. Purchase services from schools^v
RSA uses the additional resources that are generated through cooperative agreements to purchase work experiences and other services for VR clients from/through the school. An example of such contracts with the schools are the Youth Transition Programs (YTP).
- b. Purchase work experiences in the community
RSA uses the additional resources that are generated through cooperative agreements to purchase work adjustment, on-the-job training, and supported employment services from Community Rehabilitation Program providers.
- c. Purchase other allowable services
RSA uses the additional resources that are generated through cooperative agreements to purchase other services for joint clients services under an IPE as long as the criteria in Subsection VII, A are met.
- d. Fund VR staff positions
RSA uses monies generated through cooperative agreements to make it possible to provide earlier and more extensive involvement of VR staff in IEP planning and in providing consultation/technical assistance to schools.

3. Elements of Cooperative Agreements

Cooperative (Transfer) Agreements include the following elements, as appropriate:

- a. A statement of the amount of money to be transferred to RSA and the amount of money to be generated for use within the terms of the agreement;
- b. Statements about which students are to be targeted;
- c. What the VR eligibility criteria are;
- d. What the referral procedures, coordination, technical assistance, contacts, mutual training, reporting requirements, etc are.;
- e. The individual schools who are included within the agreement;
- f. What are the specific commitments for the use of the monies (# of staff funded, levels and types of services to be provided, # of students to be served, etc.).

VII. INTERAGENCY PLANNING AND PROBLEM SOLVING GROUP

This group shall be comprised of the following members:

- ADE/ESS Director of Special Projects, or designee
- RSA Administrator, or designee
- DDD Assistant Director, or designee

Other individuals, at the request of any one of the above persons, may participate with this group. The group shall meet as necessary and may address the following:

- Review and evaluate statewide compliance with the terms of this Agreement;
- Develop recommendations for the resolution of operational issues;
- Develop training plans and resolve training issues;
- Recommend solutions to issues that were not able to be solved at the regional/local level; and
- Make recommendations regarding continuing or amending the Interagency Agreement once a year.

VIII. FINANCIAL RESPONSIBILITY

Each party is financially responsible for the services it provides under its own laws and rules.

IX. RESOLUTION OF DISPUTES

The LEA RSA Regional Manager and Division of Developmental Disabilities District Program Administrators are the first level of appeal for resolving disputes relative to this ISA. The Work Group will review and make recommendations to ADE/ESS VR and Division of Developmental Disabilities directors regarding disputes not solved at the local level.

Existing problem resolution procedures for students under ADE persons supported by VR and Division of Developmental Disabilities will be honored.

X. VR ORDER OF SELECTION

The RSA is required to set priorities for which eligible students will receive services when total funding is insufficient to serve all who are eligible. Priorities used are based on the severity of the limitations imposed by the disability and the length and amount of services necessary to overcome these limitations. Priorities are not based on types of disabilities (blind, deaf, orthopedic, mental illness, developmental disabled) or on specified client populations (e.g. youth, elderly, SSI/SSDI/SSDIB recipients, transition students, etc.).

XI. GENERAL PROVISIONS:

BOOKS AND RECORDS

Books and records of either party shall be open to inspection and audit by either party as provided for in A.R.S. §35-214.

CONFLICT OF INTEREST

This agreement may be terminated as provided in accordance with A.R.S. §38-511.

INDEMNIFICATION

Each party of this agreement is responsible for its own negligence.

COMPLIANCE WITH LAWS

Each party shall comply with all Federal, State and local laws, rules, regulations, standards and Executive Orders, without limitation to those designated within this agreement. The laws and regulations of the State shall govern the rights of the parties, the performance of this agreement and any disputes. Any action relating to this agreement shall be brought in an Arizona court. If any provision of this agreement is held invalid or unenforceable, the remaining provisions shall continue valid and enforceable to the full extent permitted by law. Any changes in the governing laws, rules, and regulations during the term of this agreement shall apply but do not require an amendment.

NON-DISCRIMINATION

The parties shall comply with State Executive Order No. 99-4, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable Federal and State laws, rules and regulations, including the American with Disabilities Act.

TERMINATION

Each party shall have the right to terminate this agreement by mailing the other party written notice of termination by certified mail, return receipt requested, at least thirty (30) days prior to the effective date of said termination.

AMENDMENTS OR MODIFICATIONS

This agreement may be amended or modified at any time by mutual agreement. No agent, employee, or other representative of either party is empowered to alter any of the terms of the agreement, unless done in writing and signed by the authorized representative of the respective parties.

END NOTES

ⁱ For purposes of Department of Education programs, under IDEA:

A child with a disability, as defined, means a child evaluated as having mental retardation, a hearing impairment including deafness, a speech or language impairment, a visual impairment including blindness, serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.
IDEA §300.7

For purposes of Department of Education programs, under Section 504 of the Rehabilitation Act (which prohibits discrimination of persons with disabilities in any programs receiving federal financial assistance)

An “individual with a disability” means any person who—

- (i) has a mental or physical impairment which substantially limits one or more of such person’s major life activities,
- (ii) has a record of such impairment, or
- (iii) is regarded as having such an impairment.

Section 7(20) (B) of the Rehabilitation Act

ⁱⁱ For purposes of Rehabilitation Services Administration VR Program, under Title 1 of the Rehabilitation Act:

An individual is eligible for assistance under ... if the individual—

(A) Is an individual with a disability under section 7(20)(A): and

The term “individual with a disability” means any individual who—(i) has a physical or mental impairment which for that individual constitutes or results in a substantial impediment to employment; and (ii) can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to title I, III, or VI. (Section 7(20) (A) of the Rehabilitation Act)

(B) requires vocational rehabilitation services to prepare for, secure, retain, or regain employment.

ⁱⁱⁱ See Section VII. Referrals to VR should not be made when school agreements do not exist and VR IPE services will not be available until the student exits school.

^{iv} These criteria are based on federal regulations for the VR program contained in 34 CFR 361.22, 28, and 53.

^v Youth Transition Projects (YTPs) are examples of such IGAs/contracts. The ADE is interested in pursuing other types of IGAs especially in the area of assistive technology equipment/evaluations/services: e.g. (1) equipment already purchased by LEAs for students could be purchased by VR from the LEA so that there is a seamless transition from school to work or other post-school activities for the student; (2) LEAs and VR working together to evaluate the student on what types of assistive technology needs exist so that equipment may be ordered, training may be conducted, or workplace and/or postsecondary school access issues may be addressed in a reasonable time prior to exiting school.

Contracts with schools must abide by the criteria for VR involvement in cooperative agreements. Special note should be given to the following:

- Services contracted for cannot be used to pay for general educational services to VR clients. This prohibition includes provision of special remedial or language education for students with disabilities.
- VR reimbursable costs will be accounted for separately and schools must maintain records of such.
- RSA will pay for school staff costs only directly related to the contracted services. VR will not reimburse for other costs such as general training of school staff.
- Equipment, supplies, operating costs, student transportation, etc. shall be directly associated with the project(s) that is being supported by VR. VR will not reimburse for general school administrative equipment or services.

APPENDIX A

GLOSSARY

ADE	Arizona Department of Education
ADE/ESS	Exceptional Student Services
DES	Arizona Department of Economic Security
DDD	Division of Developmental Disabilities
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
IGA	Interagency Governmental Agreement
ISP	Individual Support Plan
IPE	Individualized Plan for Employment
IVEP	Individualized Vocational Education Plan
LEA	Local Education Agency
MET	Multidisciplinary Evaluation Team
MOU	Memorandum of Understanding
RBHA	Regional Behavioral Health Authority
RSA	Rehabilitation Services Administration
RSA/ESS	Employment Support Services
SEA	State Educational Agency
SSI	Supplemental Security Income
SSDI	Social Security Disability Income
SSDIB	Social Security Disability Income for the Blind
VR	Vocational Rehabilitation
YTP	Youth Transition Programs



ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Jane Dee Hull
Governor

Rehabilitation Services Administration (930A)
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(602) 542-3332

John L. Clayton
Director

Dear Parent,

This letter is being sent to parents of students who have been identified as having a disability. It is to introduce you to the Vocational Rehabilitation (VR) program administered by the Rehabilitation Services Administration (RSA).

We at the Rehabilitation Services Administration believe that all persons with disabilities should have an opportunity for gainful work and careers and we want to play our part in helping your child to achieve such goals. The enclosure provides you with things you should know.

We wish your son or daughter well in his/her high school career. We encourage you to work closely with your school staff. We also encourage you to invite the VR program to become an active part of your transition planning when the time is right.

We look forward to answering any questions that you may have at any time.

Sincerely,

Local RSA Office Supervisor

Enclosure:

ENCLOSURE (draft)

If your son or daughter has a disability and is in Special Education, an Individualized Education Plan (IEP) will be developed throughout his/her high school years. The goals outlined in the IEP during the first few years of the transition plan are to help to identify job strengths and interests and to make sure that the classes selected help him/her prepare for the job or career that is right for them.

Within a year or two of his/her planned exit from school, you, your child, and his/her teachers will begin identifying what services will be necessary after leaving school and what agencies might be available to help provide those services. The representatives of other agencies, such as VR, will become a necessary part of the IEP planning team. They will help to plan what your son or daughter will do after school exit and they will tell you what services they can make available.

If your son or daughter has a disability, regardless of whether he/she is in Special Education, the Vocational Rehabilitation (VR) program is a program that may be important as you begin planning your child's transition from school. For example:

School Agreements

- The Rehabilitation Services Administration has developed school agreements with many schools throughout Arizona. These agreements allow the VR program to become involved in providing work experiences and other services for students while they are still in school. When your son/daughter is in his/her last two years of school, you should ask about these programs and whether they may apply. One example of such programs is the Youth Transition Programs (YTP).

Transition Planning

- Even if the school does not have a school agreement, the VR program will help your son/daughter plan for what he/she will do after exit school. If he/she requires help in preparing for the world of work or in obtaining employment because of his/her disability, the VR program is available to help. During your last year in school, you should ask about a possible referral to the VR program. This is especially important if your son/daughter plans to continue schooling after he/she completes high school and VR program assistance is required the help meet his/her special needs.

THE FOLLOWING ARE IMPORTANT ITEMS OF INFORMATION THAT YOU SHOULD REMEMBER:

- **Information about VR is available at any time**
Although the VR program does not play a direct planning or service role until your last year or two of school, we want to be available to you at any time to answer questions or to provide you with general information about VR and its services. We plan to provide general orientations about VR at your school and we hope you choose to attend.
- **Invite to meet the local VR representative sometime before you exit school**
Please ask for our involvement when you begin to plan and prepare for your child's exit from school if you feel that he/she will need services from the VR program because of disability. The VR program counselor assigned to your school can help you in determining what the disability related

needs are and how your son/daughter may be able to benefit from VR services. We want to begin planning VR involvement with both you (and the IEP team) before he/she exits school.

- **Ask about school agreements between VR and your school**

If there are appropriate VR sponsored projects or programs available while your child is still in school, we want to be sure he/she has a chance at participating in them.

- **Involve your probation officer, mental health specialist, DD case manager, etc.**

The VR program works closely with the behavioral health system, the Division of Developmental Disabilities, the Arizona Department of Juvenile Corrections, and with County Juvenile Probation programs. It is very important that you ask for the involvement of these programs at this stage of IEP planning as well. Success through the VR program is often possible only with their active involvement and commitment.

- **There are limits to what the VR program can do**

Finally, you need to know that there are limits to what the VR program can do. For example, unless there is a school agreement in place, VR involvement is limited to counseling and planning while your son/daughter is still in school. The VR program also does not provide or pay for educational, or educationally related services.

Since only VR staff can make commitments for the VR program, it is important that the VR counselor is invited to participate in any IEP planning that is going to involve our services. The teacher will know how to contact the VR counselor.

The goal of school staff and of VR staff serving your school is to help your son/daughter make a smooth transition to meaningful, gainful, and sustained employment.

Enclosed are brochures that provide you with more information about the VR and other programs administered by the Rehabilitation Services Administration.

Sincerely,

Local RSA Office Supervisor